



## MINUTES

**BRYAN PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
THURSDAY, OCTOBER 12<sup>TH</sup>, 2006  
6:00 P.M.  
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer:     *The meeting minutes herein are a summarization of meeting proceedings, not a verbatim transcription.*

### **1. CALL TO ORDER**

Chairperson Hughes called the regular meeting to order at 6:15 p.m.

Commission members present were: Mr. Michael Beckendorf, Mr. Johnny Bond, Mr. John Clark (Vice Chairperson), Mr. Art Hughes, Mr. Don Maxwell, and Mr. Michael Parks.

Commission members absent were: Mr. Robert Horton (excused) and Mr. G.H. Jones.

Staff members present were: Mr. Kevin Russell, Director of Development Services; Ms. Lindsey Guindi, Planning Manager; Mr. John Dean, Transportation Planner; Mr. Martin Zimmermann, Senior Planner; Mr. Randy Haynes, Staff Planner; Ms. Janis Hampton, Assistant City Attorney; and Ms. Charmaine McKinzie, Planning Recorder.

### **2. HEAR CITIZENS**

No one came forward.

### **3. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST**

There were none.

### **4. CONSENT AGENDA (Items may be removed at the request of two Commission members.)**

- a. Approval of minutes from workshop and regular meetings on August 3, 2006.
- b. Approval of minutes from workshop and regular meetings on August 17, 2006.
- c. Approval of minutes from workshop and regular meetings on September 7, 2006.
- d. Approval of minutes from workshop and regular meetings on September 21, 2006.
- e. **Consideration – Final Plat FP06-16** **J. Dean**  
*Final plat of Burt Road Estates Subdivision, consisting of 10.68 acres in the ETJ of Bryan, Brazos County, Texas.*

Commissioner Parks moved to approve the Consent Agenda. Commissioner Maxwell seconded the motion, and the motion passed with a unanimous vote.

**5. REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT (Commission has final approval; appeals may be directed to City Council.)**

- a. **PUBLIC HEARING/CONSIDERATION – Conditional Use CU 06-08** **M. Zimmermann**  
*A request for approval of a Conditional Use Permit to allow an automobile repair shop on property in a 'SC-B' South College Business zoning district on property at 1208-1210 South Coulter Drive between South College and Cavitt Avenues, specifically occupying parts of Lot 2 in Block 4 of Winter Subdivision in south central Bryan, Brazos County, Texas.*

Mr. Martin Zimmermann, Senior Planner, presented a staff report (on file in the Development Services Department). Mr. Zimmermann advised that the applicant desires to use existing buildings on property at 1208-1210 South Coulter Drive to provide automobile repair and service. Staff believes that an automobile repair establishment will generally be compatible with surrounding land uses in this particular environment and recommends approving this requested Conditional Use Permit.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Clark moved to approve Conditional Use Permit CU 06-08, accepting the findings of staff, subject to the condition that any use and development on the subject property conform to the site plan approved by the Site Development Review Committee on September 12, 2006. Commissioner Bond seconded the motion, and the motion passed with a unanimous vote.

**6. REQUESTS FOR APPROVAL OF REZONINGS (Commission makes recommendation; City Council has final approval.)**

- a. **PUBLIC HEARING/CONSIDERATION – Rezoning RZ06-20** **L. Guindi**

*A request to change the zoning classification from 'RD-5' Residential District – 5000 and 'RD-7' Residential District – 7000 to 'R-NC' Residential Neighborhood Conservation District on all 27 lots located in the Briarcrest Estates Subdivision – Phase 4 in Bryan, Brazos County, Texas.*

Ms. Lindsey Guindi, Planning Manager, presented a staff report (on file in the Development Services Department). Ms. Guindi stated that the property owners within the subdivision known as Briarcrest Estates – Section Four have submitted a complete petition for a City-initiated zoning change from 'RD-5' Residential District – 5000 and 'RD-7' Residential District to 'R-NC' Residential Neighborhood Conservation District on all 27 lots in this subdivision. Staff recommends approving the requested rezoning.

The public hearing was opened.

No one came forward

The public hearing was closed.

**Commissioner Maxwell moved to recommend approval of Rezoning RZ06-20, accepting the findings of staff. Commissioner Clark seconded the motion, and the motion passed with a unanimous vote.**

**b. PUBLIC HEARING/CONSIDERATION – Rezoning RZ06-34**

**L. Guindi**

*A request to change the zoning classification from 'AO' Agricultural Open District to 'PD' Planned Development District, allowing certain office, retail & commercial uses on 60.3694 acres of land adjoining the south side of Briarcrest Drive in the Richard Carter Survey in southeastern Bryan, Brazos County, Texas.*

Ms. Guindi presented a staff report (on file in the Development Services Department). Ms. Guindi stated that the applicant, Lauth Property Group, Inc. is requesting to change the zoning classification on this currently undeveloped tract to a 'PD' Planned Development District to allow office, retail and certain commercial uses. Physical development is proposed to comply with development standards and limitations that generally apply to properties zoned 'C-2' Retail District, with certain exceptions and additions outlined in the draft ordinance. This property is located adjacent to Briarcrest Drive, an arterial, and in close proximity to State Highway 6, a freeway. This particular location will provide space for a large-scale retail use beneficial to, and easily accessed by, the City as a whole. Staff believes the proposed 'PD' Planned Development District is appropriate in this particular environment and recommends approving the rezoning request.

The public hearing was opened.

Mr. Mike Gentry, of 1515 Emerald, College Station, Texas, representing the applicants, came forward to speak in favor of this request. He stated that he is the attorney for the development. Mr. Gentry shared a proposed site plan for this development with the Commission.

The public hearing was closed.

**Commissioner Parks moved to recommend approval of Rezoning RZ06-34, accepting the findings of staff. Commissioner Beckendorf seconded the motion, and the motion passed with a unanimous vote.**

**c. PUBLIC HEARING/CONSIDERATION – Rezoning RZ06-35**

**J. Dean**

*A request to change the zoning classification from 'RD-5' Residential District – 5000 to 'C-2' Retail District on property at the intersection of Groesbeck Street and Eden Lane, being Lot 11, Block 3, Eden Subdivision in west central Bryan, Brazos County, Texas*

Mr. John Dean, Transportation Planner, presented a staff report (on file in the Development Services Department). Mr. Dean explained that the proposed retail zoning district would provide space for small-scale retail commercial uses beneficial to, and within walking distance from, the adjoining residential neighborhood. Staff recommends approving the requested zone change.

The public hearing was opened.

Mr. Joe Taylor, of 504 Eden Lane, Bryan, Texas came forward to speak in opposition to the request. Mr. Taylor voiced his concern regarding the range of allowed uses in C-2 zoning districts.

Responding to questions from the Commission, Mr. Dean provided examples of uses generally allowed in C-2 zoning districts.

Mr. Eddie Denk, of 5780 Linda Lane, Bryan, Texas, came forward to speak in opposition to this request. He stated that this is an older subdivision and that a lot of residents are starting to beautify their properties. He stated that bringing in a food establishment to this neighborhood will not help these beautification efforts.

The public hearing was closed.

**Commissioner Clark moved to recommend denial of Rezoning RZ06-35, finding that the uses permitted in 'C-2' zoning districts would not be appropriate in the immediate area concerned. Commissioner Beckendorf seconded the motion, and the motion passed with a unanimous vote.**

**7. REQUESTS FOR APPROVAL OF VARIANCES (Commission has final approval; appeals may be directed to City Council.)**

**a. PUBLIC HEARING/CONSIDERATION – Planning Variance PV06-21**

**J. Dean**

*A request for approval of a variance from the minimum 25-foot front setback required on residential lots on property located at 901 Esther Boulevard at the east corner of the intersection of Esther Blvd. and Wayside Drive, Lot 3 (pt of), 4, Block 8, Culpepper Manor #1 in central Bryan, Brazos County, Texas.*

Mr. Dean presented a staff report (on file in the Development Services Department). Mr. Dean stated that the applicants have requested a variance to the minimum 25-foot setback which is generally required on all residential properties. The applicants have stated that they wish to build an open carport on the front of their house so that they have a covered area in which to park their

truck, which is too long to fit into the garage. The applicants stated that this covered parking is also needed because Mr. Patranella has health problems which make it difficult for him to bear the high temperatures in the truck after it has been parked in the sun for an extended period of time. The applicants indicate that this proposed carport would encroach 4.5 feet into the front building setback. Staff recommends denying this request for variance.

Responding to a question from the Commission, Mr. Dean stated that a carport exists on one other property on this same block face. That carport, however, does not appear to encroach into the minimum front building setback.

The public hearing was opened.

Ms. Lenora Patranella, of 901 Esther Boulevard, Bryan Texas stated that her husband is a diabetic and has a heart conditions. Ms. Patranella also stated that they are planning on making the carport nicer than a regular carport.

The public hearing was closed.

**Commissioner Bond moved to approve Planning Variance PV06-21, finding that granting the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the area and that the hardships and difficulties imposed upon the applicant by requiring compliance are greater than the benefits to be derived by the general public due to the applicant's ill health. Commissioner Bond's motion was made subject to the condition that the carport shall remain open and shall not be enclosed. Commissioner Parks seconded the motion, and the motion passed with a unanimous vote.**

- b. PUBLIC HEARING/CONSIDERATION – Planning Variance PV06-23 M. Zimmermann**  
*A request for approval of a 7.11-foot variance from the minimum 50-foot lot width generally required of lots in residential zoning districts, to allow creation of a residential lot proposed to be only 42.89 feet in width on 3.673 acres of land adjoining the 4600 block of North Texas Avenue (northeast side), being Lot 2 of San Miguel Subdivision in northern Bryan, Brazos County, Texas.*

Mr. Zimmermann presented a staff report (on file in the Development Services Department). Mr. Zimmermann stated that the subject property is zoned 'RD-7' Residential District – 7000. The 3.673-acre property is currently occupied by one single-family home. The property owners, Mr. and Ms. Salazar, desire to resubdivide this one lot into two lots. Proposed Lot 2A is planned to be occupied by the existing single-family home. All land that is located within the boundaries of proposed Lot 2B is currently vacant. Staff recommends approving the requested variance.

The public hearing was opened.

No one came forward

The public hearing was closed.

**Commissioner Maxwell moved to approve Planning Variance PV06-23, accepting the findings of staff. Commissioner Clark seconded the motion, and the motion passed with a unanimous vote.**

## 8. REQUESTS FOR APPROVAL OF SUBDIVISIONS

### a. PUBLIC HEARING/CONSIDERATION – Replat RP06-16

**M. Zimmermann**

*A proposed re-subdivision of Lot 2 in the San Miguel Subdivision, being 3.673 acres of land, adjoining the 4600 block of North Texas Avenue (northeast side) in northern Bryan, Brazos County, Texas.*

Mr. Zimmermann presented a staff report (on file in the Development Services Department). Mr. Zimmermann stated that the property owners, Mr. and Ms. Salazar, desire to resubdivide this one lot into two lots. Proposed Lot 2A is planned to be occupied by the existing single-family home. All land that is located with the boundaries of proposed Lot 2B is currently vacant. The Site Development Review Committee and staff generally recommend approving this proposed replat.

The public hearing was opened.

Ms. Susan Harbor, of 4602 North Texas, Bryan, Texas stated that she is opposed to this replat because she does not want another mobile home park or multi-family dwelling in her neighborhood.

Responding to questions from the Commission, Mr. Zimmermann stated that the property's 'RD-7' zoning classification does not generally allow mobile homes or multi-family dwellings.

The public hearing was closed.

**Commissioner Bond moved to approve Replat RP06-16. Commissioner Maxwell seconded the motion, and the motion passed with a vote of five (5) in favor and one (1) in opposition. Commissioner Beckendorf cast the vote in opposition.**

### b. PUBLIC HEARING/CONSIDERATION – Replat RP06-15

**J. Dean**

*A proposed resubdivision of 2.66 acres in the Saladiner Subdivision located in the 4700 block of North Texas Avenue (southwest side) in northern Bryan, Brazos County, Texas.*

Mr. Dean presented a staff report (on file in the Development Services Department). Mr. Dean stated that this proposed replat of Lots 3R and 4R in the Saladiner Subdivision #2 creates on lot from the existing lots. This site is occupied by several storage buildings. Staff recommends approval.

The public hearing was opened.

No one came forward

The public hearing was closed.

**Commissioner Maxwell moved to approve Replat RP06-15. Commissioner Beckendorf seconded the motion, and the motion passed with a unanimous vote.**

**9. PUBLIC HEARING/CONSIDERATION – Thoroughfare Plan Amendment CPA6-01 J. Dean**

*A request to amend the City of Bryan's Thoroughfare Plan, specifically to shift the alignment of proposed minor arterial street approximately 800 feet east from its currently planned intersection with West Villa Maria Road on property near the Brazos Christian School in west Bryan, Brazos County, Texas.*

Mr. Dean presented a staff report (on file in the Development Services Department). Mr. Dean Stated that this request proposes to shift the alignment of this road approximately 800 feet to the East and at its connection to West Villa Maria. The applicants for this request, Brazos Christian School, have made this request because they feel that the currently proposed location of this street is encumbered by a creek and widely varying topography, which could make this segment of the roadway more difficult and expensive to build. In addition, the applicant has stated that the current proposed location of this street interferes with their plans to build a new high school on this property.

The public hearing was opened.

Ms. Eva Warden, of 823 S Rosemary, Bryan, Texas, representing the applicants, came forward to speak in favor of the request. She stated that it would cost the school a lot of money if the requested thoroughfare plan amendment was not granted. If the road alignment were shifted, it would help with the cost and the proposed construction of athletic fields.

The public hearing was closed.

**Commissioner Parks moved to recommend approval of Thoroughfare Plan Amendment CPA 06-01. Commissioner Beckendorf seconded the motion, and the motion passed with a unanimous vote.**

**10. ADJOURN**

Without objection, Chairperson Hughes adjourned the meeting at 8:20p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the 2<sup>nd</sup> day of **November, 2006**.

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Art Hughes, Chairperson  
Planning and Zoning Commission  
City of Bryan, Texas

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Lindsey Guindi, Planning Manager and  
Secretary to the Planning and Zoning Commission